CLAIM OF: MANUEL PATINO

1753 Marvin Street Atlanta, Georgia 30318

For damages alleged to have been sustained as a result of striking a pothole on October 29, 2009 at Chattahoochee Avenue, NW and Permalume Place, NW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION **COMMITTEE:**

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to MANUEL PATINO the sum of \$1,000.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of striking a pothole on October 29, 2009 at Chattahoochee Avenue, NW and Permalume Place, NW as is more particularly set forth in the within claim; said sum taken from and charged to account 1001.200101.5212005.1512000.

APPROVED:

ROGER BHANDARI **ACTING CITY ATTORNEY**

BY:

JERRY L. DELOACH DEPUTY CITY ATTORNEY FAVORABLE REPORT

The M

PUBLIC SAFTEY &

LEGAL ADMINISTRATION COMMITTEE





MUNICIPAL CLERK ATLANTA, GEORGIA

10-R-0175

A RESOLUTION

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to Manuel Patino the sum of \$1,000.00 as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been sustained as a result of striking a pothole on October 29,2009 at Chattahoochee Avenue, N.W. and Permalume Place as is more particularly set forth in the within claim; said sum taken from and charged to Account 1001/200101/5212005/1512000.

ADOPTED by the Atlanta City Council APPROVED by Mayor Kasim Reed

FEB 01, 2010 **FEB 09, 2010**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. <u>09L0952</u> Date: <u>December 31, 2009</u>	
OLI LORU LI BEARINET DATINO	
Claimant / Victim MANUEL PATINO	
BY:(Atty)(Ins.Co.)_ Address: 1753 Marvin Street Atlanta, Georgia 30318	
Address: 1753 Marvin Street Atlanta, Georgia 30318	
Subrogation: Claim for Property damage \$ 3,682.30 Bodily Injury \$ Date of Notice: 11/16/09 Method: Written, proper X Improper X	
Date of Notice: 11/16/09 Method: Written, proper A miproper Y	
Conforms to Notice: () ('(i A & 36-33-) X Alle Litelli (U IVIU.)	
Date of Occurrence 10/29/09 Place: Chattahoochee Avenue, NW and Permalume Place, NW	
Department Public Works Bureau: Office: Transportation Services	
Department Public Works Bureau: Office: Transportation Services Employee involved Disciplinary Action:	
NATURE OF CLAIM: The claimant alleges that he sustained damages as a result of striking a pothole at	
Chattahoochee Avenue, NW and Permalume Place, NW. An investigation determined that although a search	1 of
Chattahoochee Avenue, NW and Permaiume Place, NW. All investigation determined that distributed to the defect application of the property of the incident, the defect applications of the property of the incident.	ears
city records shows that the city did not have actual notice of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident, the defect appearance of the problem prior to the incident prior to the incident prior to the problem prior to the incident prior to the pr	<u>vars</u>
to have existed for such a length of time that the city should have known and corrected it. The claimant has	
elected to file a claim for the damages through his insurance carrier. The claimant's settlement is for his	
deductible.	
INVESTIGATION:	
Statements: City employee Claimant Others Written Oral	
Pictures X Diagrams Reports: Police Dept Report X Other	
Traffic citations issued: City Driver Claimant Driver	
Statements: City employee Claimant Others Written Oral PicturesX Diagrams Reports: Police Dept Report _X Other Traffic citations issued: City Driver Claimant Driver Citation disposition: City Driver Claimant Driver	
BASIS OF RECOMMENDATION:	
Function: Governmental X Ministerial Damages reasonable Other Damages reasonable	
Improper Notice More than Six Months Other Damages reasonable	
City not involved Offer rejected Compromise settlement X Parair/replacement by City Forces	
Repair/replacement by Ins. CoRepair/replacement by City Forces	
Repair/replacement by Ins. Co Repair/replacement by City Forces Claimant Negligent City Negligent Joint Claim Abandoned	
Respectfully submitted,	
Respectionly Submitted,	
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(Malat	
INVESTIGATOR – LISA CARTER	
RECOMMENDATION: /	
Pay \$ 1,000,00 Adverse Account charged: General Fund X Water & Sewer Aviation	
Claims Manager:Concur/dateConcur/date	
Committee Action:Council Action	

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	3	MUNIC	CO OF	CLAIM FOR DA	AMACES
UNCIL OF THE CI INICIPAL CLERK y Hall Trinity Avenue, SW	TY OF ATLACE	PHOY IS THE	4:48 Toda	ay's Date: Nov	
Trinity Avenue, SW anta, Georgia 30303 ar Municipal Clerk:		ENT	TERED - 12- 10952 - L.		Ci
s is to notify the City	of Atlanta that I hoodily injury for wh	ave suffered dam	ages in the amo City is liable.	unt of \$ 1036.	87 property
 Date of incident Location of incident 	10.29.09	_2. Time of incident	dent: 9:30 AM CHATTÂ PERMA	1 3. Police called: HOOCHEE A	NO VE NW
5. Name of your in	surance company:	ENCOMP	ASS	Policy No. 2	4021479
6. State what and l	how incident occur	rred: LARGE	AND DEE	P POTHOLE	ON
CHATTA HO	DOCHEE AVE	WAS UNM	ARKED AK	ID UNCOVER	leo.
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RCS# 42 2/01/10 2:07 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

							_
В	Smith	Y	Archibong	Y	Moore	Y	Bond
NV	Hall		Wan	Y	Martin	Y	Watson
	Young	Ÿ	Shook	Y	Bottoms	Y	Willis
	Winslow		Adrean	Y	Sheperd	NV	Mitchell



MUNICIPAL CLERK ATLANTA, GEORGIA

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A RESOLUTION

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		02-01-10
ITEMS ADOPTED ON	ITEMS ADVERSED	ITEMS ADVERSED
CONSENT	ON CONSENT	ON CONSENT
1. 10-O-0118	36. 10-R-0182	
2. 10-O-0119	37. 10-R-0183	
3. 10-O-0120	38. 10-R-0184	
4. 10-O-0121	39. 10-R-0185	
5. 10-O-0122	40. 10-R-0186	1
6. 10-O-0123	41. 10-R-0187	
7. 10-O-0126	42. 10-R-0188	
8. 10-O-0127	43. 10-R-0189	
9. 10-O-0128	44. 10-R-0190	
10. 10-O-0129	45. 10-R-0191	
11. 10-O-0220	46. 10-R-0192	
12. 10-O-0221	47. 10-R-0193	
13. 10-O-0057	48. 10-R-0194	
14. 10-O-0135	49. 10-R-0195	
15. 10-R-0134	50. 10-R-0196	
16. 10-R-0162	51. 10-R-0197	
17. 10-R-0227	52. 10-R-0198	
19 10-R-0164	53. 10-R-0199	
20. 10-R-0165	54. 10-R-0200	
21. 10- R -0166	55. 10-R-0201	
22. 10-R-0169	56. 10-R-0202	
23. 10-R-0170	57. 10-R-0203	
24. 10-R-0171	58. 10-R-0204	
25. 10-R-0222	59. 10-R-0205	
26. 10-R-0228		
27. 10-R-0173		
28. 10-R-0174		
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35. 10-R-0181		